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December 12, 2023

**By ECF**

Honorable Colleen McMahon  
United States District Judge  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Conference adjourned to  
1/11/2024 @ 10:45 a.m.

Re: Boris Racine v. City of New York, et al.,  
23 Civ. 3202 (CM)

*Colleen McMahon*  
12/13/2023

Your Honor:

I represent the City of New York, former New York City Department of Correction (“DOC”) Commissioner Dora Schriro, and DOC Commissioner Louis Molina in the above-referenced matter. Defendants write to respectfully request an adjournment of the Initial Conference currently scheduled for December 14, 2023, at 10:45 a.m. This is defendants’ first such request. Defendants have attempted to contact plaintiff’s counsel on multiple occasions to obtain his position on this request, but have not received a response.

By way of background, the Initial Conference in this matter was originally scheduled for September 14, 2023, at 10:00 a.m. (ECF No. 6). The Initial Conference was subsequently adjourned, upon plaintiff’s request, to November 16, 2023, at 10:00 a.m. (ECF No. 18). On November 15, 2023, the Court adjourned the Initial Conference to December 14, 2023, at 10:45 a.m. (ECF No. 26).

This matter was just recently reassigned to the undersigned. Unfortunately, I am scheduled to teach a Continuing Legal Education training on December 14, 2023, at 10:00 a.m., which conflicts with the Initial Conference as currently scheduled. In light of this conflict, defendants respectfully request that the Court adjourn the Initial Conference to a later date convenient for the Court. For the Court’s convenience, defendants are available anytime on December 12 and 15, 2023, in the morning on December 19, 2023, and anytime on January 9 and 12, 2024. Defendants have not been able to ascertain plaintiff’s counsel’s availability, as defendants’ inquiries remain unanswered.

Defendants apologize for any inconvenience this request may cause the Court, and thank the Court for its time and consideration.

Respectfully submitted,

/s/ Zachary Kalmbach

Zachary Kalmbach

*Assistant Corporation Counsel*

cc: **Via ECF**  
Gary Newlin Rawlins  
*Attorney for plaintiff*